

07/22/03 16638 U.S. PTO

Attorney Docket No. RADNT-012GC2

21909 U.S. PTO
10/624797
07/22/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---------------------------------------|---|---------------|
| In re Application of: Robert Ginsburg |) | |
| |) | Art Unit: TBD |
| Application No: TBD |) | |
| |) | Examiner: TBD |
| Filed: Herewith July 22, 2003 |) | |
| |) | |
| For: Infusion Systems and Methods for |) | |
| Introducing Into the Body Within a |) | |
| <u>Desired Temperature Range</u> |) | |

Transmittal of a Continuation Utility Patent Application

Express Mail mailing label no. EV330332185US

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for filing is the continuation utility patent application for " Infusion Systems and Methods for Introducing Into the Body Within a Desired Temperature Range".

- ☒ The applicant(s) hereby request(s) the filing of the continuation patent application under 37 CFR §1.53(b) corresponding to application Serial No. 09/444,532 filed on November 22, 1999, which is a continuation of copending application Serial No.09/187,761 filed November 8, 1998, now issued as Patent No. 5,989,238, which is a division of Serial No. 08/787,425 filed January 22, 1997 and now issued as United States Patent No. 5,879,329. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.
- ☒ A true copy of the following are enclosed:
 - ☒ the prior application as filed, including all 14 pages of specifications (including 9 pages of written description; 4 pages of claims (Claims 1-25), 1 page of Abstract) and 2 sheets of drawings; and
 - ☒ the declaration of inventorship showing the signatures or an indication it was signed.

- ☐ Applicant hereby requests that the above-referenced patent application, filed concurrently herewith, **NOT BE PUBLISHED** under 35 U.S.C. §122(b). In making this request, applicants certify that the invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at 18 months after filing.
- ☐ Please delete the names of the following persons who are not inventors of the invention being claimed in this divisional application:
- ☒ Please amend the specification after the granting of a filing date herein by inserting before the first line the sentence: --This is a continuation of application Serial No. 09/444,532 filed on November 22, 1999, which is a continuation of copending application Serial No.09/187,761 filed November 8, 1998, now issued as Patent No. 5,989,238, which is a division of Serial No. 08/787,425 filed January 22, 1997 and now issued as United States Patent No. 5,879,329--.
- ☒ **Preliminary Amendment: Please amend the application by canceling claims 1-15.**
- ☒ Check No. 3107 covering the filing fee in the amount of \$375.00 accompanies this application, calculated as follows:


| For | (Col. 1) No. Filed | (Col. 2) No. extra | Small entity Rate | Fee | Or | Other than a Small entity Rate | Fee |
|---------------------------------------|-----------------------|-----------------------|----------------------|--------|----|--------------------------------------|-----|
| Basic fee | | | | \$ 375 | Or | | \$ |
| Total claims | 10 | - 20 = 0 | x 9 | \$ | Or | x 18 | \$ |
| Indep claims | 1 | - 3 = 0 | x 0 | \$ | Or | x 78 | \$ |
| _ Multiple dependent claims presented | | | 0 | \$ | Or | 0 | \$ |
| | | | Total | \$375 | Or | Total | \$ |

- ☒ An Assignment of the invention to Radiant Medical Inc. was previously recorded on July 27, 1998 on Real / Frame: 0535/0537.
- ☐ A Statement of Ownership and Power of Attorney.
- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.
- ☒ Two (2) Sheets of Formal drawings are enclosed.

- ☒ The undersigned is the Applicant's attorney of record in the prior application, and all future communications should be addressed to the undersigned at the new address shown here-below.
- ☐ The statement(s) of Small Entity Status filed in the prior application is no longer proper and is hereby withdrawn.
- ☒ An information disclosure statement is enclosed.

STOUT, UXA, BUYAN & MULLINS, LLP

Date: July 22, 2003

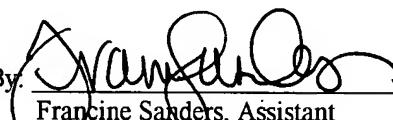

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CERTIFICATE OF MAILING

I hereby certify that this Transmittal letter, the above-identified documents and papers, and a return postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on July 22, 2003 and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 22, 2003

By 
Francine Sanders, Assistant

Express Mail mailing label no.: EV330332185US